

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

THE UNITED STATES OF AMERICA,     )  
   )  
Plaintiff,                                     )  
   )  
v.   ) Case No. 4:11-cv-00504  
   )  
MASK OF KA-NEFER-NEFER,             )  
   )  
Defendant.                                 )

**THE UNITED STATES' SPECIAL INTERROGATORIES  
DIRECTED TO CLAIMANT SAINT LOUIS ART MUSEUM**

Pursuant to Rule G(6), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, you (the Art Museum Subdistrict of the Metropolitan Zoogological Park and Museum District of the City of St. Louis and the County of St. Louis) are hereby required to answer the following Special Interrogatories, separately and fully, in writing, over claimant's signature and under oath, and to serve such responses within twenty-one (21) days, upon the undersigned Assistant United States Attorney, at the Office of the United States Attorney, 111 South Tenth Street, 20th Floor, St. Louis, Missouri 63102.

**INSTRUCTIONS AND DEFINITIONS**

1. The response to each discovery request shall include such knowledge of the claimant as is within your possession, custody or control, including but not limited to knowledge and documents in the possession, custody or control of your investigators, employees, accountants, consultants, attorneys or other agents. Where facts set forth in answers or portions thereof are supplied upon information and belief, rather than upon actual knowledge, the answer should so state,

and specifically describe or identify the source or sources of such information and belief. If you cannot answer in full, after exercising due diligence to secure the information requested, so state and answer to the fullest extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portion.

2. Where a request calls for an answer which involves more than one part or sub-part, each part of the answer should be set forth separately so that it is clearly understandable and responsive to the respective sub-part.

3. These discovery requests are intended as continuing interrogatories, requiring you to answer by supplemental answer setting forth any information within the scope of the requests as may be acquired by you, your agents or representatives following your original answers.

4. The terms "writing" or "written" are intended to include but not necessarily be limited to the following: handwriting, typewriting, printing, photographing, and every other means of recording upon any tangible thing any form of communications, including letters, words, pictures, sounds or symbols or combinations thereof; and any oral communication later reduced to a writing or confirmed by a letter.

5. "Document" shall be read to include every writing or every tape and description, and every other instrument or device by which, through, or on which information has been recorded and/or preserved, including, but not limited to memoranda, notes, letters, checks (front and back), invoices, statements, bills, written reprimands, hand-written notes, logs, telephone records, computer cards, tapes and printouts, employment applications, interview reports, personnel files and other data compilations and every other device or medium on which or through which information of any type is transmitted, recorded or preserved. The term "document" also means every copy of a document

where such copy is not an identical duplicate of the original, and every draft or other predecessor or preliminary version of every document as defined herein.

6. "Person" or "persons" refer to one or more individuals, governmental agencies, political subdivisions, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, agencies or any legal, business, or other entity. Person also includes the masculine as well as the feminine and the plural as well as the singular.

7. "Refer" or "relate" when referring to a document or communication, includes any document or communication that constitutes, contains, embodies, reflects, identifies, states, refers directly or indirectly to, describes, discusses, assesses, or is in any way relevant to the particular subject matter defined.

8. "State all facts" means to state all facts discoverable under Rule 26(b) of the Federal Rules of Civil Procedure that are known to you or your investigators, attorneys, or agents. When used in reference to a contention, "state all facts" or "identify all documents," should include all facts and documents negating, as well as supporting, the contention. When in reference to a contention, "identify each person" should include persons having knowledge of facts negating, as well as supporting the contention.

9. "And" and "or" shall be construed conjunctively and disjunctively so as to provide the broadest possible meaning. Likewise, the singular shall be construed to include the plural, and vice versa, and any masculine pronoun shall be construed to include the feminine, and vice versa.

10. "Lawsuit" shall be construed to include but is not limited to proceedings, including civil litigation, domestic relations actions involving separation, divorce, or custody issues, and any

arbitrations.

11. Where identification of a document is required, the following shall be separately stated as to each document: its date; its exact title; the general subject matter of the document; the name of the author, his or her business affiliation (presently and at the time the document or correspondence was prepared), and his or her last known address; the name, business affiliation (presently and at the time he received the document), and last known address of the addressee; the name, business affiliation (presently and at the time the document was prepared), and last known address of every person to whom a copy of the document was to be sent, other than the addressee described above; the names and addresses of all persons who now have the original and/or any copies of such document; the identification and location of the files where the original and each copy is normally or presently kept and the custodian thereof; and whether such documents will be made available for inspection and copying.

12. If you maintain that any document or record which refers to or relates to anything asked about in these requests has been destroyed, lost, or is otherwise unavailable, set forth the content of said document, the location of any copies of said document, the date of such destruction or loss and the name of the person who caused such destruction or loss.

13. Whenever identification of a "person" or "persons" is required, the following shall be separately stated as to each person: the name and present or last known business address or location and business telephone number of each such person. If such person is an individual, additionally state the business position or positions held by that individual and such person's last known residence address and residence telephone number. If such person is not an individual, but

an entity or organization, additionally identify the individual(s) of the entity or organization who have knowledge or with whom communications have been had of, or relating to, the matter involved.

14. If you contend that the answer to any discovery request is privileged, in whole or in part, or otherwise object to any part of any discovery request below, or that an identified document would be excludable from production regardless of its responsiveness, state the reasons for such objection or grounds for exclusion, and identify each person having knowledge of the factual basis, if any, on which the privilege or other ground is asserted. In the event that objection is made to some portion of any request below, respond fully to that portion of the discovery request to which objection is not made.

15. In the event that your answer to any request is "not applicable" or any similar phrase or answer, explain in detail why the request is not applicable. In the event that your answer to the request is "don't know" or any similar phrase or answer, explain in detail who, if anyone, would know the answer to the request or where the answer to the request might be found.

16. Where a request asks that you or your attorney provide information concerning what a witness may testify about, that request is intended to elicit a summary of any and all information that any witness may have provided to you regardless of whether he or she may so testify at trial.

**SPECIAL INTERROGATORIES**

1. Identify yourself.

**ANSWER:**

2. Identify the individual answering these special interrogatories and all persons who provided information in connection with your response to these special interrogatories.

**ANSWER:**

3. State all facts relating to your claim that you are the owner of the defendant property, including by stating the basis for your belief (a) that you presently hold title to the defendant property, (b) that you received title to the defendant property at the time you acquired it, and (c) that your acquisition of the Mask was lawful.

**ANSWER:**

4. Identify all documents relating to your answer to Special Interrogatory No. 3. Where any part of the identification of a document may be ascertained from the face of the document, you may attach a copy of the document in lieu of answering that portion of this special interrogatory.

**ANSWER:**

**VERIFICATION OF ANSWERS TO SPECIAL INTERROGATORIES**

I certify that I have answered the preceding four (4) special interrogatories truthfully under oath and to the best of my knowledge and belief, under penalty of perjury.

Name (print):

Signed:

\_\_\_\_\_

\_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_

Dated: May 11, 2011

Respectfully submitted,

RICHARD G. CALLAHAN  
United States Attorney

/s/ Richard E. Finneran  
DIANNA R. COLLINS, #59641  
RICHARD E. FINNERAN, #60768  
Assistant United States Attorneys  
111 South 10th Street, Suite 20.333  
Saint Louis, Missouri 63102  
Telephone: (314) 539-2200  
Facsimile: (314) 539-2287  
*dianna.collins@usdoj.gov*  
*richard.finneran@usdoj.gov*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was sent on May 11, 2011, first class, postage prepaid and addressed to the following:

Patrick A. McInerney  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112

/s/ Milton C. McDaniel  
MILTON MCDANIEL  
Forfeiture Analyst